

STATE OF CALIFORNIA

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

POST COMMISSION
ADVISORY COMMITTEE MEETING

WEDNESDAY, NOVEMBER 30, 2022

9:00 A.M.

MEETING HELD
AT THE OFFICES OF
COMMISSION ON POST
860 STILLWATER ROAD, SUITE 100
WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
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A P P E A R A N C E S

POST ADVISORY COMMITTEE MEMBERS PRESENT

JASON SALAZAR
California Police Chiefs Association
(Chairperson)

WALT ALLEN III
California Academy Directors Association

ELMO BANNING
Public Member

EZERY BEAUCHAMP
California Highway Patrol

ALEX BERNARD
Public Member

KATHY OBORN
California Association of
Administration of Justice Educators

ERIC SCHMIDT
Peace Officers Research Association
of California

JUAN VIRAMONTES
California Coalition of
Law Enforcement Associations

JAIME YOUNG
Public Safety Dispatcher Advisory Council

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POST COMMISSION STAFF

MANUEL ALVAREZ, JR.
Executive Director
Executive Office

WILLIAM "TOBY" DARDEN
Chief Counsel

A P P E A R A N C E S C O N T I N U E D

POST COMMISSION STAFF
(CONTINUED)

ANNEMARIE DEL MUGNAIO
Assistant Executive Director
Peace Officer Standards
Accountability Division
Executive Office

JIM GROTTKAU
Assistant Executive Director
Standards & Development Division
Executive Office

MICHAEL DALISAY
Law Enforcement Consultant
Management Counseling and Projects Bureau

JENNIFER DWYER
Staff Services Specialist
Management Counseling and Projects Bureau

KERI NUNEZ
Associate Governmental Program Analyst
Executive Office

ROB PATTON
Bureau Chief
Management Counseling & Projects Bureau

MIKE RADFORD
Bureau Chief
Professional Conduct 4 Bureau

ROSANNE RICHEAL
Bureau Chief
Learning Technology Resources Bureau

MELANI SINGLEY
Staff Services Manager
Strategic Communications and Research Bureau

KATIE STRICKLAND
Associate Governmental Program Analyst
Executive Office

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A P P E A R A N C E S C O N T I N U E D

POST COMMISSION STAFF
(CONTINUED)

MICHELLE WEILER
Bureau Chief
Certification Bureau

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1	I N D E X	
2	PROCEEDINGS	PAGE
3	CALL TO ORDER AND WELCOME	7
4	FLAG SALUTE	7
5	MOMENT OF SILENCE HONORING THE OFFICERS WHO LOST	7
6	THEIR LIVES IN THE LINE OF DUTY SINCE THE LAST	
	MEETING	
7	ROLL CALL OF COMMITTEE MEMBERS	7
8	INTRODUCTION OF EXECUTIVE DIRECTOR AND	8
	ASSISTANT EXECUTIVE DIRECTOR	
9	PUBLIC COMMENT (None)	--
10	A. APPROVAL OF MINUTES	
11	Approval of the Action Summary and Minutes	9
12	of the previous Committee meeting.	
13	Action Summary - May 24, 2022	
14	Meeting Minutes - May 24, 2022	
15	B. ANNOUNCEMENTS	10
16	C. REVIEW OF COMMISSION MEETING AGENDA	13
17	D. PRESENTATIONS	
18	Agenda Item B9 -- Report on Senate Bill 2	13
	Implementation Status and Milestone Update	
19	Finance Committee Item C1 -- Report on	23
20	Wellness and Mental Health Program	
21	Agenda Item F2 -- Report on Commission	48
	Regulation 1205, Serious Misconduct	
22	Agenda Item F4 -- Report on Changes to	52
23	Commission Regulation 1213, Suspension and	
	Revocation of Peace Officer Certification	
24		
25		

1
2
3
4
5
6
7
8
9
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12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X C O N T I N U E D

PROCEEDINGS	PAGE
E. ADVISORY COMMITTEE MEMBER REPORTS	56
F. COMMISSIONER COMMENTS (None)	--
G. OLD BUSINESS (None)	--
H. NEW BUSINESS	
Deputy Eric Schmidt, Peace Officers Research Association of California (PORAC), is up for Re-appointment. Current term expires March 2023.	91
I. FUTURE MEETINGS	
Upcoming Committee Meetings will be held:	92
March 22, 2023 - Anaheim	
June 7, 2023 - POST HQ, West Sacramento	
ADJOURNMENT	92
CERTIFICATE OF REPORTER	93
ERRATA SHEET	94

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1 Wednesday, November 30, 2022, 9:00 a.m.

2 West Sacramento, California

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4 CHAIRPERSON SALAZAR: Good morning. And welcome to
5 the Wednesday November 30th, 2022, POST Advisory
6 Committee meeting. We'll call the meeting to order, and
7 we will begin today's meeting with a flag salute
8 followed by a brief moment of silence to honor officers
9 who have lost their lives in the line of duty since the
10 last meeting.

11 (Pledge of Allegiance recited in unison.)

12 CHAIRPERSON SALAZAR: There have been no officers
13 who have lost their lives since the last meeting, but we
14 will take a brief moment of silence to honor those who
15 have this year.

16 (Moment of silence observed.)

17 CHAIRPERSON SALAZAR: Thank you. You may be
18 seated.

19 Okay. We will now have a roll call of the
20 committee members.

21 MS. STRICKLAND: Allen.

22 MEMBER ALLEN: Here.

23 MS. STRICKLAND: Banning.

24 MEMBER BANNING: Here.

25 MS. STRICKLAND: Beauchamp.

1 MEMBER BEAUCHAMP: Here.

2 MS. STRICKLAND: Bernard.

3 MEMBER BERNARD: Here.

4 MS. STRICKLAND: DiBasilio.

5 (No response.)

6 MS. STRICKLAND: Oborn.

7 MEMBER OBORN: Here.

8 MS. STRICKLAND: Salazar.

9 CHAIRPERSON SALAZAR: Here.

10 MS. STRICKLAND: Schmidt.

11 MEMBER SCHMIDT: Here.

12 MS. STRICKLAND: Spry.

13 (No response.)

14 MS. STRICKLAND: Viramontes.

15 MEMBER VIRAMONTES: Here.

16 MS. STRICKLAND: Young.

17 MEMBER YOUNG: Here.

18 MS. STRICKLAND: Thank you.

19 CHAIRPERSON SALAZAR: Okay. I would like to take a
20 moment to introduce POST Executive Director Manny
21 Alvarez, as well as Assistant Executive Director Jim
22 Grottkau. Thank you.

23 And we will now have the public comment. This is
24 the time set aside for members of the public to comment
25 on items on the agenda. The Chair will manage the

1 public comment period in deference to the committee's
2 workload and meeting time constraints. Up to 15 minutes
3 is allotted at the beginning of each meeting for public
4 comments on items on the agenda.

5 Members of the public who wish to speak are asked
6 to limit their remarks to no more than five minutes
7 each. If we have many people who wish to speak on the
8 same topic, I, as the Chair, may intervene and ask that
9 you limit your remarks to no more than one minute.

10 Pursuant to existing Commission policy, the Chair
11 may conclude the public comment if multiple speakers are
12 voicing repetitive or similar statements and the
13 15-minute public comment period has expired.

14 Please remember that this meeting is being
15 transcribed so I may politely interrupt and ask you to
16 repeat and speak slowly and clearly so your comments can
17 be correctly captured in the transcript.

18 Is there anyone with us this morning who would like
19 to address the committee during public comment?

20 (No response.)

21 CHAIRPERSON SALAZAR: Okay. Seeing none, we will
22 move on to approval of the minutes. This will be the
23 time for the approval of action summary and minutes from
24 the previous committee meeting on May 24th of 2022.

25 If the committee concurs, the appropriate action

1 would be a motion to approve the action summary and
2 meeting minutes from the previous committee meeting.

3 Do I have motion or any comments?

4 MEMBER BERNARD: Bernard. Approve.

5 CHAIRPERSON SALAZAR: Is there a second?

6 MEMBER BEAUCHAMP: Second.

7 CHAIRPERSON SALAZAR: Motion and a second.

8 All in favor, say "aye."

9 (Ayes.)

10 CHAIRPERSON SALAZAR: Any opposed?

11 (No response.)

12 CHAIRPERSON SALAZAR: The action summary and
13 meeting minutes are approved.

14 And we will move on to announcements.

15 Are there any announcements from members of the
16 committee, POST Advisory Committee?

17 (No response.)

18 CHAIRPERSON SALAZAR: I believe we do have an
19 announcement from committee chair [sic] Jim Grottkau --
20 or Jim Grottkau.

21 MR. GROTTKAU: Good morning. Thank you, Chief.

22 We have two announcements.

23 The first one, we wanted to remind everybody that
24 the POST Excellence in Training and the Bud Hawkins
25 Exceptional Service Award nominations are currently

1 open. Those will close next week, December 5th. And we
2 are -- we will announce the recipients March -- at the
3 March 2023 Commission meeting as well as honor them at
4 the June 2023 Commission meeting.

5 So we are actively seeking input from Advisory
6 members and from agencies and from presenters for that,
7 so we appreciate any kind of involvement, at this last
8 minute, if we could.

9 The second announcement is we -- we would like to
10 recognize Alex Bernard. Alex -- for his years of
11 service to POST as an Advisory Committee member. A
12 couple of years ago, the Commission voted to create term
13 limits for the miscellaneous members of the Advisory
14 Committee to ensure the refreshment of perspective. As
15 a public member, Alex will be completing his term this
16 session, at this meeting.

17 So Alex is a retired sergeant from the Los Angeles
18 Airport Police. He served at the Los Angeles
19 International, Van Nuys, and Ontario International
20 Airports. He held leadership positions in a number of
21 law enforcement associations.

22 After retirement, he worked as a general manager of
23 the Kern Law Enforcement Association. Since 2007, he
24 has been the president of the Retired Peace Officers
25 Association of California. Alex previously served on

1 the Advisory Committee as the PORAC representative from
2 2000 to 2004. In 2001 he was the Vice Chair of this
3 committee. And in 2002 he was the Advisory Committee
4 chairperson.

5 So we would like to thank Alex for his years of
6 service to POST and his law enforcement career service.
7 And so thank you very much, Alex, for everything you
8 have done for the Commission and for the Advisory.
9 Thank you.

10 (Applause.)

11 MEMBER BERNARD: I would like to thank the
12 Commission for allowing me to serve all these years.
13 It's been a pleasure to be on the committee. And I wish
14 the Commission and the Advisory Committee much luck with
15 the challenges that face them in the future.

16 MR. GROTTKAU: Thank you very much, sir.

17 So this also means that we have a vacancy on the
18 Advisory Committee for a miscellaneous member. So any
19 applicants interested in that position should submit a
20 letter of interest to POST or can contact me directly
21 for further information.

22 And I yield back. That's the only announcements I
23 have, sir.

24 CHAIRPERSON SALAZAR: Okay. Thank you, Jim.

25 This would also be the time for the review of the

1 Commission meeting agenda. Assistant Executive Director
2 Grottkau, is there any additional review of the
3 Commission agenda? I know we do have four items that
4 have been requested for a presentation.

5 MR. GROTTKAU: Thank you, sir. That's correct.

6 So we currently have four items that have been
7 requested:

8 They are Item B9;

9 Item C, under Finance, will be a presentation on
10 Officer Wellness;

11 F2 on Regulation 1205;

12 And F4 on Regulation 1213.

13 Is there any other requests at this time?

14 (No response.)

15 MR. GROTTKAU: Hearing none, we'll move forward
16 with our first one.

17 So at this time, I would like to invite up
18 Assistant Executive Director Annemarie Del Mugnaio to
19 talk about Senate Bill 2 implementation status and
20 milestone updates.

21 MS. DEL MUGNAIO: Good morning, Committee Members.
22 Thank you for the opportunity to provide this update.
23 My name is Annemarie Del Mugnaio. I am the Assistant
24 Executive Director for the Peace Officer Standards and
25 Accountability Division.

1 And we are now about four and a half weeks out from
2 launch, which is exciting and scary and all the things
3 that come with such an arduous and heavy lift.

4 But I wanted to provide you a brief update on a
5 number of areas that I think are of importance to POST's
6 success in being able to launch SB 2, especially within
7 this division.

8 There are about 89 positions specifically within
9 the division. We have hired 29 staff at this point, and
10 there are 50 positions currently in the recruitment
11 process that are either undergoing interviews, looking
12 at backgrounds, or accepting hires.

13 There are ten positions that remain vacant that are
14 not currently in the recruitment process.

15 We have LECs. There are nine law enforcement
16 consultants currently in place. We have 19 that we need
17 to fill at this point. We are now accepting retired
18 annuitant positions for law enforcement consultants to
19 make sure we can meet the demands of the workload volume
20 coming January 1st.

21 In terms of regulations, to date, we have approved
22 six rulemaking files through the Office of
23 Administrative Law. These include provisions for the
24 new Proof of Eligibility, Notice of Appointment, Notice
25 of Separation, Attestation of Peace Officer Eligibility,

1 the Commission hearing process for decertification
 2 cases, reporting to the National -- the NDI, the
 3 National Data Index, or Decertification Index. Excuse
 4 me, Verification of Qualifications, and background
 5 investigations.

6 There are five packages that are pending approval
 7 of OAL, some of which will be before the Commission
 8 today. Those are final review of the serious misconduct
 9 definitions and, really, this is more pursuant to some
 10 comments we received in the last 15-day public comment
 11 period.

12 We are also looking at factors to consider
 13 regarding revocation and suspension, conviction and
 14 eligibility procedures, cancellation of appointments,
 15 public complaint processes, agency reporting of serious
 16 misconduct cases, temporary suspensions, voluntary
 17 surrenders, and then a notice of completed investigation
 18 by POST, all of which are under review by the Commission
 19 today for final approval through -- and then we will put
 20 those through to the Office of Administrative Law.

21 Staff has been canvassing the state, as you well
 22 know, since August, to train on the SB 2 provisions,
 23 including the Proof of Eligibility, background, and also
 24 prosecution and processing of serious misconduct cases.

25 Staff has trained 72 law enforcement agencies up

1 and down the state since August. There has been 22
2 executive overviews in addition to the 72 individual law
3 enforcement agencies trained. Those executive overviews
4 typically are attended by command staff. We have
5 trained over 2500 personnel total on the SB 2
6 provisions.

7 In December, the team will be recording each
8 session that will be available for law enforcement
9 agencies that have had an opportunity to attend a live
10 in-person session, and that will be more of a tutorial,
11 step-by-step overview of each of the individual
12 processes for SB 2.

13 As many of you know, we have procured and we have
14 been now utilizing Mark 43, which is a case management
15 system, that will house all of our serious misconduct
16 cases.

17 Beginning October 5th, the division began training
18 law enforcement agencies on the use of Mark 43. We have
19 trained over 292 agencies which is a -- about a
20 42 percent total of law -- of all the law enforcement
21 agencies that we anticipate using Mark 43.

22 We actually have a soft launch, that was scheduled
23 for November 28, to test the system. There are a few
24 law enforcement agencies currently in the system right
25 now, testing it, so that we can make sure that the cases

1 are moving through the case management system properly.

2 There will be a December 16th more expansive launch
3 for all agencies and members who attended the training.
4 They will be activated within Mark 43 and be able to
5 utilize the system to submit cases.

6 And then on December 28th, there will be a
7 universal launch for all agencies who are required to
8 report in Mark 43.

9 In addition, as you may know, we have a 40-hour
10 decertification course that the new board members will
11 have to attend, and that is the Peace Officer Standards
12 Accountability Advisory Board. We are finalizing the 16
13 hours devoted to the administration -- the
14 administrative functions of the board, and that includes
15 the Open Meeting Act rules and responsibilities,
16 adjudication procedures, and just the overall governance
17 of the board itself.

18 The Government Training Agency has already
19 completed the 24 hours, which covers the statutory
20 mandates, including internal investigations, evidentiary
21 standards, use of force training and standards related
22 to law enforcement agencies, and also the local
23 disciplinary process. So that is currently completed.
24 We're waiting for the 16 hours.

25 We have a pilot course scheduled to be held

1 February 13 through 17th for that board certification
2 training, and then the formal rollout will be scheduled
3 sometime in March, when, hopefully, we have some seated
4 board members to train.

5 In terms of technology, POST has procured
6 evidence.com through LexisNexis. This data warehouse is
7 intended to secure audio and video in a cloud-based
8 environment in order for our staff to view evidence
9 submitted by law enforcement agencies in connection with
10 serious misconduct cases. Staff is attending training
11 regarding the new database in early December.

12 We are also waiting for the Department of Justice
13 felony conviction data, and we're anticipating that to
14 be delivered to POST through a technology transmission
15 process sometime within the next coming weeks. And that
16 will include all felony convictions of any law
17 enforcement officer. And then POST will have to weed
18 through that data to determine whether there are any
19 active peace officers right now that have felony
20 convictions that we will need to act on, in response to
21 SB 2.

22 Just some other program updates in terms of policy
23 development and workflow.

24 We continue to work with the Office of
25 Administrative Hearings on their ability to support

1 cases that will come before them for the adjudication
 2 process. We are also working with non-POST
 3 participating agencies. Of the 56 that we have reached
 4 out to, that will be required to report serious
 5 misconduct to POST, we have received about 15 responses,
 6 nine of which have been added to our EDI system.

7 We are also undergoing policy workshops, and
 8 there's a number of workgroups that are finalizing some
 9 very important key policies that will kind of drive how
 10 we do the work within the division.

11 We have our complaint intake, including a dedicated
 12 email box, for the public complaints that can be
 13 received by POST.

14 We have our case prioritization, which will include
 15 immediate action for things like temporary suspension
 16 orders that will otherwise be directed to our Executive
 17 Director.

18 We also have a case prioritization list that will
 19 review things like cases that are active and there's an
 20 immediate public safety risk. There's a queue in terms
 21 of how to assign those cases, that may not require that
 22 immediate action, but, of course, there are cases that
 23 we want to get to. We want to make sure that they are
 24 addressed timely, thoroughly, effectively, responsibly,
 25 etc.

1 We are also developing district newsletters. Those
 2 newsletters will go out to the four districts, and they
 3 will provide updates on where the division is in terms
 4 of processes, procedures, who to contact if they have
 5 questions regarding how to submit a serious misconduct
 6 complaint, or anything, for that matter, regarding the
 7 new provisions in the law.

8 There are some future legislative remedies that
 9 POST is continuing to work with the Governor's Office to
 10 try and find a reasonable solution, and most of those
 11 involve how we're going to handle PRAs that come to
 12 POST, in response to some of the serious misconduct
 13 cases we receive, or even background information that we
 14 have on peace officers.

15 And we are looking at, perhaps, who would be the
 16 most responsible entity to release that data based on
 17 their knowledge, familiarity, being able to mitigate any
 18 risks that releasing that data may, in fact, cause.
 19 Right? We have to make sure that we are sensitive to
 20 any victims or witnesses, that releasing that data could
 21 otherwise place it in jeopardy. And also compromising
 22 an ongoing investigation; that may require us to secure
 23 those records for a period of time.

24 So this -- really, this discussion with the
 25 Governor's Office and the lawmakers centers around

1 responsible release of information and balancing the
2 public's right to know, the government's work, with
3 making sure that we're protecting the public adequately
4 in the meantime, in terms of when that data is released.

5 So that completes the update for everything we're
6 doing on SB 2.

7 I just want to take a moment -- and I know the
8 Commission has heard this over and over, and you
9 probably have too -- at what an incredible job this team
10 has done, what a heavy lift this has been. Many of our
11 bureau chiefs and our law enforcement consultants have
12 been away from their family for six months, traveling up
13 and down the state, trying to make sure that we have
14 afforded as much information as possible to law
15 enforcement agencies that have a need to know and a
16 right to know of the work we are doing.

17 And so I just want to take a moment to thank this
18 incredible team. I don't think anyone expected us to be
19 as far along as we are today, and it was a massive
20 effort from POST and especially the division. So thank
21 you all very much, those of you that are here.
22 Appreciate it.

23 Any questions on the report itself or anything that
24 we're doing within the division?

25 CHAIRPERSON SALAZAR: Any questions from the

1 Advisory Committee?

2 MEMBER ALLEN: I would just like to say, extremely
3 impressive. And I just want to thank you and the staff
4 for a really miraculous job. I'm pretty -- I'm
5 extremely impressed with all the work that's been done
6 in such a short period of time.

7 MS. DEL MUGNAIO: Thank you.

8 CHAIRPERSON SALAZAR: Any other comments or
9 questions from the Advisory Committee?

10 (No response.)

11 CHAIRPERSON SALAZAR: I will just echo Committee
12 Member Allen's comments on the great work by POST and
13 try and remind people that POST that has been given the
14 task of implementing SB 2. It wasn't your idea.

15 So we have had the honor of hosting a couple of the
16 classes at Visalia, and I just want to say the staff
17 have done a fantastic job in carrying this out. So we
18 appreciate the work from the staff here.

19 I do have a couple of questions.

20 In regards to the recruitment and hiring, I'm glad
21 to hear the retired annuitants, because I know these are
22 challenging times for all of us in recruiting and hiring
23 in law enforcement. And without using the retired
24 annuities, because of PERS limitations, we certainly
25 lose or miss out on the opportunity for some people with

1 valuable experience that contribute to that.

2 So glad to hear that.

3 As far as the status of the board, the Peace
4 Officer Standards Accountability Board, how is -- what's
5 the current status of the board being filled?

6 MS. DEL MUGNAIO: We still only have one seated
7 member. I believe the Governor's Office is looking into
8 make those additional appointments in January. So we
9 anticipate having -- I hope -- at least a quorum of the
10 board to be able to begin that training in March.

11 CHAIRPERSON SALAZAR: Okay. Thank you.

12 And then also, just briefly a comment on behalf of
13 my own organization, the CPCA. I know there are
14 concerns with regards to how the PRA is being handled.
15 So I'm anxious to hear what the decision is there and,
16 obviously, willing to have some input. So it's an area
17 of great concern to us.

18 Otherwise, thank you for the report. And, again,
19 to all the staff that have done a fantastic job. Thank
20 you.

21 MS. DEL MUGNAIO: Thank you, Chairman.

22 MR. GROTTKAU: Thank you, Annemarie.

23 Next we will call up Michael Dalisay, Law
24 Enforcement Consultant. So there will be one contract
25 that will be reviewed and voted on by the Commission.

1 It's on wellness and mental health programs, to support
2 officer wellness initiatives in the state. POST is
3 looking to enter into a contract with the University of
4 California San Diego to support the development and
5 evaluation of the Wellness and Mental Health Program.

6 So at this time, Law Enforcement Consultant Dalisay
7 will give you a presentation on that.

8 MR. DALISAY: Good morning. Good morning. Thank
9 you being here, and thank you to my POST friends for
10 being upstairs in support.

11 We're good to go.

12 Let me just read to you our mission statement. I
13 know that everybody in this room is probably very
14 familiar with our mission statement as POST and what
15 we're set out to do. But I think it's important that we
16 establish our vision before we start setting goals and
17 objectives.

18 So POST's mission is to continually enhance the
19 professionalism of California law enforcement in serving
20 its communities.

21 So just keep that in the back -- in your back
22 pocket while we take this journey through these slides
23 here.

24 I apologize in advance. I usually like to stand in
25 front of the room to address the audience, but if you

1 wouldn't mind just shifting back and forth between the
2 PowerPoint projection.

3 So to give you some background, this program really
4 came to fruition back in December of last year, you
5 know, with Director Alvarez and several of my POST
6 colleagues really pushing for an innovative approach
7 towards wellness, and not just officer wellness but
8 organizational wellness. Because it is a -- it does
9 require a holistic approach in order to fully grasp the
10 concept of what it really is.

11 Following that -- some conversations Director
12 Alvarez and some other colleagues had in December, in
13 January -- I want to say it was Andrew Mendonsa and
14 Rosanne and Drew Wyant put together a budget change
15 proposal and with the mission statement on what we're
16 intending to do here.

17 And so as a result, POST was awarded \$5 million
18 from the state legislature towards this initiative.

19 But it has to have a three-prong approach. And in
20 order to establish and/or expand wellness programs
21 within law enforcement agencies, it needs to impact the
22 individual, the agency, and the community.

23 And so when I inherited this project -- I will
24 digress for a second and just let you know that I came
25 to POST recently, in June of this year, as a lieutenant

1 from Alameda County Sheriff's Office. And I tell you
2 that because I am a tenured -- I was a tenured member of
3 our peer support team, and I saw the struggles that
4 aren't just unique to Bay Area law enforcement, but
5 throughout the state, if not the nation.

6 A little bit more about the background. As far as
7 the budgetary language is concerned, I will let you read
8 that. I will give you a few seconds to read that. And,
9 again, I'm going to ask you to remember this throughout
10 this presentation.

11 Further diving into what exactly was set before me,
12 by my predecessors, you know, I mentioned them
13 previously -- our intent is to have a physical,
14 emotional, and mental health approach, and then you can
15 see what Step 2 is. So this is the three-prong approach
16 I was talking about.

17 What is very unique about this approach is that it
18 has an evaluative framework: That's qualitative,
19 quantitative, and/or biometric.

20 And so this isn't your typical run-of-the-mill,
21 one-size-fits-all approach to wellness. You know, I'm
22 looking around the room and all of us have an idea of
23 what wellness is, and we know what it is.

24 But to really grasp the concepts that go into how
25 to get to wellness, as you will see in the cards that

1 were provided to you this morning, is, you can be
2 strong, but let's get you stronger. You can be at the
3 hardest of times and know that there's a support system
4 that can be customized to you. And that's what this
5 program is.

6 And I will explain it a little more. I know, you
7 are probably dying to know, what exactly is this
8 program? And so I will lay that out for you.

9 But before we get there, I took the liberty of
10 creating a survey with some of my colleagues in the
11 Management Counseling and Special Projects Bureau.

12 And with their assistance, you know, with the
13 680-plus law enforcement agencies, I received well over
14 500 responses. This was taken about a week ago. And
15 since I closed the survey, which was only open for
16 three -- four weeks, excuse me, these are some of the
17 trends that were stated.

18 They would like a -- they would like an approach
19 that addresses mental and emotional wellness,
20 mindfulness.

21 But there are some caveats to this. Because we all
22 know, also, what failed wellness programs looks like.
23 And those are like the training scars for wellness. And
24 that is what prevents people from wanting to be a part
25 of this innovative movement.

1 So what's our need? We did a SWOT assessment to
2 identify our strengths, weaknesses, opportunities, and
3 threats. And this wasn't just done in-house. This was
4 done with various third parties from companies who were
5 already in the wellness business with prior law
6 enforcement or organizational experience, with first
7 responders all together. I'm sure you are very aware of
8 First Responder Support Network. Also, Jared and Center
9 for Council. UCSD, which we will get to in a second.

10 But what we came up with was that this approach
11 needs to be different. Why are you going to -- why
12 should we be a part of POST's Organizational Wellness
13 Resilience? Why should we apply for the POWR Program?

14 And I will tell you why. It's because it's
15 innovative, it's inclusive. And what I mean by that is,
16 this isn't just for officers only. Because like I
17 mentioned before, this is a holistic approach. And in
18 order to have a well officer, you should have well
19 dispatchers, as I'm sure you can attest to, sir.
20 Well -- well officers. We talked about officers.
21 Supervisors.

22 But then there's also another aspect, which is a
23 little different, is the community's benefit from this.
24 And it's the ripple effect that I think every member of
25 any wellness team really hopes to achieve.

1 So what our -- and what our proposal consists of
 2 is, with this \$5 million we have encumbered, it's been
 3 quite -- quite a -- quite a task for not just me, as a
 4 new consultant to POST, but I think an undertaking, a
 5 big undertaking, for my colleagues as well, and POST as
 6 an agency.

7 So we enlisted the help of some researchers at the
 8 University of California San Diego. As you are probably
 9 well aware, they are one of the top 15 research --
 10 research groups within the world. And so I think, with
 11 them, this will bring that third party validation.
 12 Actually, let me -- let me back up. I don't think. I
 13 know this will bring that third party validation.

14 And these are some of the -- some of the programs
 15 they are a part of: Integrative medicine, nutrition,
 16 mindfulness, research, and education.

17 We have worked with them in the past so this isn't
 18 anything new for interactions. We have -- we have the
 19 Integrative [sic] Grant Program, which I'm sure many of
 20 you are familiar with and had a huge success. I
 21 would -- I would ask anybody in the room, that is not
 22 familiar with that, to go on to the website for Center
 23 for Council and see the testimonies there and just how
 24 impactful that was within the agency of Los Angeles
 25 Police Department.

1 So part of the SWOT assessment. What are our needs
 2 and deliverables? I needed -- I knew that when I set
 3 out for this, every step that POST took -- well, every
 4 step that I took was representative not only of POST,
 5 but the Commission, the community, and our agencies.
 6 And so it has to be comprehensive and holistic with
 7 something that's evidence-based.

8 And here are the deliverables that we have already
 9 contracted with UCSD, or we have already drafted a
 10 contract, excuse me.

11 As I mentioned, they are feasibility tested, high
 12 quality, whole person wellness programs. And I talked
 13 about the one size fits all.

14 I think we all know that law enforcement is very
 15 dynamic, as are our environments, and I think that needs
 16 to be matched with a very dynamic approach that can be
 17 custom tailored to the individual agency and the
 18 community.

19 So you can see here the consistent curriculum,
 20 proven customization. Because it can be customized does
 21 not mean that it will not be consistent.

22 And what I mean by "customized" is that this can be
 23 delivered either in person, online, in cohorts, or you
 24 can see synchronous or asynchronous.

25 Because, you know, having recently left the field I

1 know that as, as Chief Salazar mentioned earlier, times
 2 are tough, and so everybody is down bodies. Everybody
 3 is pulling double -- double shifts, mandatory overtime.
 4 And so how are we going to build this wellness program
 5 into an already busy schedule, not to include what
 6 Assistant Executive Director Del Mugnaio mentioned was
 7 families. These are people who go in and out of work,
 8 regardless of the day they had, and still show up the
 9 next day. And the community expects that officer to be
 10 on point, regardless of the call that he just came from.

11 Research, expertise, and infrastructure, we have to
 12 have this measured. This needs to be qualitative and
 13 quantitative. And as I mentioned, with UCSD there, they
 14 are 100 percent validated.

15 Here are our goals:

16 Right now, so what are our measurables? How do we
 17 measure wellness in, we'll say, a large organization or
 18 even an organization of only 20. For example, Del Norte
 19 or Auburn. You know, some of these agencies that are in
 20 more rural areas that could use assistance.

21 So what I would like to do is, we have metrics set
 22 up for stress and absenteeism. We're going to monitor
 23 that. And that can't be the only indicating factor of
 24 the success of this program. Obviously productivity and
 25 resiliency. So critical incident after critical

1 incident, what are we doing to maintain our -- maintain
2 the wellness of our staff, not just the officers.

3 And it's going to leverage POST to have this
4 position of being a statewide aggregator. So
5 ultimately, what we will do is develop a sustainability
6 plan once we see what works and also identify what
7 doesn't. And these findings will be shared with the
8 individual organizations. And part of our -- part of
9 our process is to help them -- help these organizations
10 identify funding and/or whether it's grants or
11 legislative funds to succession plan.

12 But here are the threats. I talked about SWOT
13 earlier. This is the threats portion. Why would this
14 not work?

15 Well, as I mentioned before, wellness programs have
16 failed in the past. And in reading -- I read --
17 revisited some of the comments that the survey -- the
18 people who answered the survey, I revisited those this
19 morning, just so it can be fresh on my mind. And a lot
20 of them -- there were a few that had some apprehensions
21 because of failed wellness programs, because of
22 confidentiality, because of the method it was -- it was
23 implemented.

24 Also, the ongoing funding and fiscal year
25 limitations for each agency. I talked about that in the

1 previous slide. Part of our steps of action are going
2 to be to help agencies identify funding for
3 sustainability.

4 And that leads to the third point. Shared
5 long-term goals with the agencies. Again, going back to
6 vision. If we don't have a vision, what's our mission?

7 I will let you look at -- I will ask you to look at
8 that again. It's just going back to the third party
9 validation and why it's important that it's not just
10 POST running this program. This is a collaborative,
11 from the Advisory Committee, to the Commission, to the
12 community, to the organizations, to chiefs -- chiefs and
13 sheriffs, and all of us here at POST.

14 And I think through that, I'm very confident we're
15 going to establish some transparency and some misnomers
16 of what POST is and what POST isn't. Because remember
17 the mission statement, "to enhance."

18 So here's the community's benefit. I will let you
19 take a gander and we can summarize that.

20 I think we have all had some rough days at work,
21 whether it's law enforcement or support staff or,
22 really, any -- any profession, for that matter. The
23 difference with law enforcement is that you are
24 inundated. You can be inundated with negativity. And I
25 think it is important to address the causation and then

1 also next steps, which is what our program is designed
2 to do.

3 You can see what's important here is that there's
4 an intersection -- an emphasis on the intersection of
5 officer wellness, procedural justice, and the community
6 relations.

7 So here's our projected timeline. This may seem
8 soon to some of you, but I think now is -- is the best
9 time. There's no better time than now. And I think we
10 need to strike while the iron is hot. You know, the
11 chief mentioned earlier, these are hard times.

12 And so with the social media branding we have
13 already put in place, with the cards that we have
14 already developed and are waiting to share with much
15 needed from -- with much-needed agencies, the surveys,
16 with the countless hours of meetings and discussions and
17 dialogues with contracts and what we are set out to do,
18 really just honing in on what our focus is, I don't
19 think -- I'm very confident that these measures can be
20 met. As a matter of fact, I will tell you that they
21 will be met.

22 And you can look here at the timeline. This
23 funding was -- was provided to POST from July 1 of this
24 year through June 30th of 2025. So it is a -- this is a
25 three-year funding period.

1 And at the end of it, I think what is important
2 that lends to the validation of this program is that a
3 final report with results, self-assessments, will be
4 distributed to both the Advisory Committee, the
5 Commission, and my colleagues here at POST, and it will
6 be shared with the agencies, so that way we can ensure
7 the sustainability.

8 So here's the money: I know that's where a lot
9 of -- you know, having been a manager, I know that a lot
10 of times, it comes down to funding. And so here's what
11 the grand total is, \$4.249 million. And you may ask
12 yourselves or you may ask me, I thought we were
13 gifted -- given \$5 million. Great question.

14 I think it's prudent and I think it's wise, anybody
15 that has managed budgets, whether personal or
16 professional, to allow for contingencies, to allow for
17 some areas to pivot. And so that there is where the
18 15 percent of indirect costs will come in, because
19 there's travel. This is all based on applications.

20 I created an application, which I failed to
21 mention. Along with the website refresh, I created an
22 application, along with Heidi Hernandez, who has been
23 instrumental in this development.

24 And so we're going to receive them, review them,
25 and it's going to be another collaborative effort. You

1 will notice that's the theme here is collaboration,
2 because I think that's how things are truly successful,
3 is collaboration, being aware of your blind spots.

4 And with this application process, agencies will
5 apply to be a part of the POWR Program. They will be --
6 then they will be selected, assigned a facilitator,
7 another SWOT assessment will be done with them, so we
8 can custom tailor it, not only to the agency, but to the
9 individual.

10 I put this slide in here because not only is it one
11 of the coolest uniforms I have ever had the privilege of
12 wearing, with Alameda County Sheriff's Office, but some
13 of you may remember Deputy Perez-Perez. From 2020,
14 LASD. I met him in October of 2021.

15 He and his partner were ambushed at the station,
16 the transit station there, where he was shot in the face
17 and left to die.

18 And so when I met him, not even a year later, you
19 know, it was very interesting, because just kind of
20 walking around the parking lot. This is at one of the
21 sheriff's office conventions. And walking the parking
22 lot towards the front door. And somebody said, "Hey,
23 you have to meet this guy."

24 So instantly, I'm intrigued. You know, who is this
25 guy? Why is he walking around? He's probably a K9

1 officer. He had a German shepherd with him. And so he
2 was very interesting.

3 I said, "Hey, I'm Mike Dalisay."

4 He said, "Oh, hey, I'm so and so."

5 And that was kind of it. We looked at each other
6 in the eyes, like anything else?

7 And so his partner, his female partner, who was
8 also with him when they were ambushed: "Hey, this is,
9 you know, that guy a year ago. This is him."

10 And so then my female partner at the time, with the
11 sheriff's office, she was like, "And that's his
12 partner."

13 And so we had a long conversation.

14 But what I took away from that was that guy and his
15 partner, that's the epitome of wellness. And it was
16 very intriguing, because sometimes it is overlooked, but
17 I said, "How are you doing, man?"

18 And he said, "You know, I couldn't be better. I
19 went through what I went through, and I know there's a
20 reason I did that. But without my agency support, I
21 wouldn't be back here before you, chomping at the bit to
22 go back to work." He said, "I love what I do and I love
23 being of service."

24 And from that moment, I said, you know what? I
25 said people are always looking for someone to follow,

1 but good leaders are always looking for someone to
2 serve. And I think this is our opportunity to serve
3 those who we expect to be leaders in our community.

4 And with that, I will open it up for any questions.
5 Thank you for your time.

6 CHAIRPERSON SALAZAR: Thank you, Mike, for that
7 report.

8 Are there any questions or comments from the
9 Advisory Committee?

10 MEMBER ALLEN: Just a long time coming. This is so
11 much needed. We appreciate -- I appreciate what you are
12 doing. So...

13 MR. DALISAY: Thank you, sir. Like I said, it was
14 a collaborative effort. Appreciate it.

15 CHAIRPERSON SALAZAR: Any other comments? Juan?

16 MEMBER VIRAMONTES: How is it going, sir?

17 MR. DALISAY: Good. Thank you.

18 MEMBER VIRAMONTES: Thank you for all the useful
19 information.

20 Just had a couple of questions.

21 MR. DALISAY: Yes.

22 MEMBER VIRAMONTES: You mentioned you had a survey.
23 How many of those agencies that you reached out to have
24 a wellness program and how many do not?

25 MR. DALISAY: Great question.

1 I did -- I failed to go over that with the slide.
2 About 90 percent of them had wellness programs.

3 Toby, is it too late to go back to the slide so I
4 could better illustrate that? If it is, don't -- no
5 sweat.

6 Great question. About -- I think it was 70 percent
7 had wellness programs. And what was disheartening about
8 that was that there were 30 percent -- it was a mixture
9 of people that either didn't know or they said no. And
10 so I counted the "didn't knows" as "no" because they are
11 clearly not taking advantage of the support that's out
12 there.

13 MEMBER VIRAMONTES: Just a follow-up question: How
14 are they funded, those wellness programs?

15 MR. DALISAY: Another great question.

16 And that was part of the survey was, what's your
17 budget?

18 And I will go a level beneath that is, some of them
19 just clearly are. There's a majority. I wouldn't say a
20 majority. But about \$10,000. Whether it's grant-funded
21 or funded through their county -- the county
22 administrators or city managers that have allotted for
23 it to be in their budget.

24 MEMBER VIRAMONTES: You mentioned some of the -- or
25 some of the issues might be when you look at privileged

1 and confidential information. Is that -- obviously you
2 brought that up as far as some of the challenges. How
3 do you see this being different?

4 MR. DALISAY: Yeah. Thank you for that.

5 Before we do our meet and greet, so to speak, with
6 these participant -- with the participating --
7 participating agencies, excuse me -- I'm just so
8 passionate about this, sorry.

9 Before we meet with them, we're going to have them
10 review an attestation and say, here is what is going to
11 be -- what could be divulged.

12 But as far as HIPAA goes and confidentiality, that
13 will all remain intact. As a matter of fact, as a part
14 of our budget, one of the line items is to bolster the
15 security at UCSD, who already has a very robust
16 security -- cyber security and just IT security overall.
17 Can't say security enough.

18 MEMBER VIRAMONTES: The reason I bring this up is,
19 you know, you have some agencies where -- our agency is
20 very ahead of the curve, I guess you can say, because
21 we -- we do everything for our guys. But you also
22 mention that it was also for everybody else that's
23 within the -- that's going to be a little hard to
24 manage.

25 Is there any plan on how to, I guess, manage

1 that --

2 MR. DALISAY: Yes, sir.

3 MEMBER VIRAMONTES: -- separation of positions?

4 MR. DALISAY: First, I will answer your question
5 with a question: What agency are you with?

6 MEMBER VIRAMONTES: The Orange County Sheriff's
7 Department.

8 MR. DALISAY: Oh, yes, sir. We'll definitely be
9 talking offline, because I -- part of this assessment is
10 to identify what works and what doesn't.

11 And agencies that have plans in place that do work,
12 then you and I will definitely have dialogue.

13 Your question was, if I understand it correctly, is
14 how would we manage the -- I guess we could say the
15 sworn staff, professional staff, and then support staff
16 all together? And this is designed again -- this
17 customization process is very laborious, but it's all
18 with good intent. And part of that is identifying what
19 their rank is, what their responsibilities are, and what
20 their pain points are.

21 So just be -- and I know you know this, sir, but I
22 will explain it for the others that may not.

23 Just because I was a lieutenant doesn't mean that
24 support staff, my secretary, may not have -- may not be
25 going through the personal struggles that I'm going

1 through, along with another colleague of mine.

2 And so this program is developed to also be run in
3 cohorts. Maybe we need a mindfulness session, ongoing
4 mindfulness session. Maybe it entails a weekend
5 workshop facilitated by some of our identified
6 professionals.

7 And sometimes -- and there is a variance within the
8 budget because some of these -- some of these approaches
9 are going to be longer term than maybe just, I guess,
10 you know, a critical incident debrief is a one-day
11 ordeal, and there's always some ripple effect from --
12 from those types of incidents. So this is here to
13 address the long-term, short-term, medium-term, and
14 regardless of rank.

15 And in all honesty, sir, I don't know your rank,
16 but I can tell you that I get the feeling that you are
17 on board with this, because your agency is very
18 successful in the wellness program, as you said. And
19 that this is also going to entail support from
20 management and command staff.

21 And that's part of my job. I will explain and do
22 away with some of the misnomers associated with not only
23 POST, but the wellness approach.

24 MEMBER VIRAMONTES: Thank you.

25 MR. DALISAY: Very welcome. Thank you.

1 EXECUTIVE DIRECTOR ALVAREZ: Mr. Chair, if I may
2 add.

3 So you asked the question about funding, and I just
4 wanted to at least throw in a comment.

5 So this is a two-pronged approach to wellness.
6 One, the POST program that Mike just articulated. So
7 the Board of State Community Corrections, BSCC, also put
8 in a budget change proposal last year for funding for
9 law enforcement agencies. I believe it started at 50
10 million. I don't know if it ended at 40 million or
11 50 million. But their budget change proposal also was
12 approved.

13 That budget change proposal, for wellness, is a
14 little bit different than ours in that that money is
15 distributed directly to law enforcement agencies based
16 on the size of the law enforcement agency. I believe
17 the smallest amount was \$25,000, from what I read in
18 their -- in their budget change proposal, up to, you
19 know, several hundred, 6, 7 hundred thousand dollars, I
20 believe, for some agencies to further wellness programs.

21 I believe BSCC is in the process of distributing
22 that money now to all agencies in California. They have
23 a -- I believe a one-year time limit to distribute that
24 money.

25 Thank you, Mr. Chair.

1 MEMBER VIRAMONTES: Thank you.

2 EXECUTIVE DIRECTOR ALVAREZ: Thank you.

3 CHAIRPERSON SALAZAR: Thank you, Director Alvarez.

4 Any additional comments or questions from the
5 Advisory Committee?

6 MEMBER ALLEN: Just one. One additional question,
7 a question I have.

8 You have a number of different folks, psychologists
9 throughout the state that do -- that cater to police
10 agencies. And I was wondering what kind of relationship
11 or what kind of outreach you are doing with those
12 agencies.

13 Like, the -- I think one is called the Counseling
14 Center, which is located in Southern California, does
15 all of the after-action interviews and counseling for
16 officers involved in a critical incident.

17 And I'm wondering how you are going to reach out to
18 those folks and have them somehow involved. Because a
19 lot of them have tremendous expertise in officer
20 wellness.

21 MR. DALISAY: One hundred percent. I couldn't
22 agree more, sir.

23 And how I'm going to broker that introduction.
24 Well, I met with Jared Seide from Center for Council
25 last week. He actually tripped up from So Cal. All I

1 did was have to -- I just promised him a cup of coffee
2 and he's on board.

3 So that's -- there are several clinicians that I --
4 first-name basis, just during my time. Joel Faye, Doc
5 C. The list goes on. But I think it's vitally
6 important to include -- include those experts.

7 Thank you for that.

8 CHAIRPERSON SALAZAR: Any other Advisory Committee
9 member questions or comments?

10 (No response.)

11 CHAIRPERSON SALAZAR: Thank you for that report,
12 Mike. You kind of -- so I thank you for showing that
13 picture and the story too. When you said your favorite
14 uniform, I thought you were referring to the Dodgers
15 hat. It threw me off when you said you were from
16 Alameda so...

17 So anyway, on that -- to Manny's question to -- or
18 a response as well. So I know the State did do
19 \$50 million, in one time, last year, that will be
20 distributed to agencies. And I was going to mention
21 that as well.

22 The problem with that is, and though -- and why I'm
23 encouraged to see two items on the agenda. So one was,
24 from the Commission's agenda with regards to LD 14 and
25 the wellness program at the academy level. I'm glad to

1 see that.

2 But I was really glad to hear this report, because
 3 I think, while it's good at the academy level, we also
 4 get -- the recruits at the academy level, we are kind of
 5 getting them at their best. And then it's down the road
 6 that you start seeing the issues happen. So it's good
 7 to see this program and your passion for it.

8 And to see POST come out with some standards.
 9 Because I think while you did the survey, you will have
 10 agencies that say they have wellness programs, and you
 11 going to get a wide variety of definitions or responses
 12 to what that really means. And so to have some sort of
 13 a standard, I think, will be important, because as that
 14 \$50 million rolls out, without some -- I think the
 15 timing is perfect. You said it was a really quick, but
 16 I think it's right on the -- if anything, we're a little
 17 late. But it will be good to see -- and that's all of
 18 us. Not POST. But to get some standards and direction
 19 how that can be used down the road.

20 The 5 million that you are talking about, Manny, is
 21 that from -- that 50 million that was also in the BSCC,
 22 was that a one-time fund or is that ongoing?

23 EXECUTIVE DIRECTOR ALVAREZ: No. That is separate.
 24 So we receive 5 million and BSCC received their money
 25 separately.

1 CHAIRPERSON SALAZAR: And so was that a one-time
2 allotment to POST, or will it be ongoing funding to help
3 continue rolling out programs related to wellness?

4 EXECUTIVE DIRECTOR ALVAREZ: It is a one-time
5 allotment to POST over the course of three years to
6 distribute that money, or spend that money. But it's a
7 one-time allotment.

8 CHAIRPERSON SALAZAR: Okay. Thank you.

9 Yeah. And I would hope that the 50 million to law
10 enforcement agencies across the state was also a
11 one-time. And my hope is that the state will continue
12 to do something with that. I know some other states
13 have. Washington is one.

14 But I think it's very important when you talk
15 about it -- and Mike talked about it -- not just for the
16 individual or the agency, but for the communities we
17 serve. That plays a huge role in what we do, and to
18 have that standard and support from POST is helpful,
19 because not every agency is going to -- is going to view
20 wellness and our responsibility differently to that.
21 And so I think this gives it credibility and some
22 accountability, which is a good thing for our
23 profession.

24 And to give chiefs and sheriffs support in rolling
25 out programs maybe for managers that don't understand

1 the importance of it as well.

2 So thank you. And a great report, Mike.

3 Appreciate it.

4 MR. GROTTKAU: Thank you, Chief. And thank you,
5 Mike, and the team in Management Counseling under the
6 leadership of Maria Sandoval, who, as you may not know,
7 wrote that BCP, the budget change proposal, while on
8 vacation, because it was such a time-sensitive issue.
9 So I think kudos to all of them for what they did to get
10 this thing going very quickly.

11 So next will be a report on Commission Regulation
12 1205 regarding serious misconduct.

13 I would like to invite Assistant Executive Director
14 Annemarie Del Mugnaio again to come up, along with
15 Bureau Chief Michelle Weiler, to talk about this item.

16 MS. WEILER: Good morning.

17 So just a brief overview of where we are at with
18 Commission Regulation 1205. I know you guys were not
19 present at the Commission meeting in September. There
20 were some issues in terms of the language that we had
21 added to the overarching definition.

22 The Office of Administrative Law, when reviewing
23 the final rulemaking package, felt that some of the
24 language that we used was not specific enough and that
25 we needed to further define the standards.

1 And so when this was brought back to the Commission
2 for further consideration in September, they opted to
3 remove all of the language of the overarching definition
4 that they had added to that first paragraph and simply
5 go with "serious misconduct is," and then go into the
6 nine categories of misconduct.

7 Upon that decision, we had to go back out to a
8 public comment period, and during that public comment
9 period, we received two public comments:

10 One of them was actually related to a prior
11 revision, so that one is not included here.

12 Then we also received one from the American Civil
13 Liberties Union, objecting to the removal of that
14 additional language.

15 And so because they did send a public comment
16 response, we have to bring this back to the Commission
17 for them to consider that public comment response and
18 decide whether they want to take that into consideration
19 and further amend the language to define "serious
20 misconduct," or continue with the definition that they
21 had agreed upon in September.

22 CHAIRPERSON SALAZAR: Questions or comments from
23 the Advisory Committee?

24 (No response.)

25 CHAIRPERSON SALAZAR: Thank you, Michelle, for that

1 report.

2 I will -- I do want to comment on behalf of CPCA,
3 who did submit public comment back in July -- that was
4 considered in the September meeting -- in a joint letter
5 with the Cal Chiefs and PORAC with regards to 1205.

6 And I'm not going to read all of it through here.
7 POST does have the communication.

8 But I know they removed the overarching of
9 definition of 1205 for "serious misconduct" and went
10 with the nine categories.

11 And I just kind of wanted to reaffirm the position
12 of Cal Chiefs and PORAC with regards to the definitions
13 related to -- of the nine, number 1, dishonesty; 2,
14 abuse of power; 3, physical abuse. Then also comment on
15 number 5 and 6, which is bias and acts that violate the
16 law. Just positions in terms to being more specific or
17 refining the definitions in those six -- or, I'm sorry,
18 five of the nine categories to give chiefs and sheriffs
19 a little bit more direction as to what would be
20 applicable under SB 2.

21 So I know POST already has that public comment, and
22 just wanted to reaffirm the positions of those two
23 organizations with regards to that, for the record.

24 Any other comments or questions from the Advisory
25 Committee?

1 (No response.)

2 CHAIRPERSON SALAZAR: Okay. Thank you.

3 MS. DEL MUGNAIO: Chairman, may I add one comment
4 to that?

5 CHAIRPERSON SALAZAR: Please.

6 MS. DEL MUGNAIO: You brought up considering these
7 comments, and we have received several throughout the
8 various iterations of the serious misconduct definition.

9 We did refine the nine categories a little bit in
10 the regulations. They are not a cut-and-paste of what's
11 in the statute. And I think it's important, for the
12 record, that we note that there is information related
13 to the material or significant facts surrounding
14 dishonesty. Also the willful or intentional acts of
15 misconduct in terms of abuse of power and some of the
16 others.

17 So while the overarching definition was stricken,
18 we have done and have amended the language that's in the
19 statute to try to provide further parameters for law
20 enforcement agencies when considering whether or not the
21 case itself rises to the level of serious misconduct.

22 So I take your comments to heart. And I also just
23 want the committee and the Commission, when we review
24 this today, to understand that this is not a one and
25 done. That as we start to review cases and look at the

1 fact patterns, that we will need to consider; we may
2 have to go back and revisit what we do with this
3 overarching definition.

4 So I want to leave that out there, for the record.

5 Thank you, sir.

6 CHAIRPERSON SALAZAR: Thank you.

7 MR. GROTTKAU: Thank you for that presentation.

8 Next I would -- the next item will be F4. It is a
9 report on proposed changes to Commission Regulation 1213
10 regarding suspension and revocation of peace officer
11 certification.

12 I will ask the two of them to remain up. And also
13 invite up Chief Counsel Toby Darden for the
14 presentation.

15 MS. DEL MUGNAIO: I will go ahead and introduce
16 this, and then I will turn it over to Chief Counsel
17 Darden to further expand.

18 What this is, generally speaking, is factors to
19 consider when in evaluating cases of serious misconduct.
20 So it provides, if you will, a sieve that we will put
21 these cases through, in order to consider relevant
22 factors that surround any case that we're looking at for
23 disciplinary action.

24 There was a comment from the Office of
25 Administrative Law where we used a term that is used

1 commonly in a lot of statutory language and regulatory
 2 language, which gives agencies permission or authority
 3 to enact something, should it be relevant to the case --
 4 you know, the fact patterns or the case itself. And
 5 that was using the term "may." The Commission may
 6 consider these facts in evaluating cases. Because not
 7 all factors that are listed in 1213 will be relevant to
 8 every case that is received by the Commission.

9 The Office of Administrative Law felt that that
 10 optional "may" was unclear and, in fact, could lead to
 11 arbitrary decisions on the part of Commission staff to
 12 only consider these when they felt like it was
 13 appropriate to do so, as opposed to "shall" consider as
 14 relevant case factors, in looking at the serious
 15 misconduct nature of each and every case that we receive
 16 at the Commission.

17 So we changed the "may" to "shall" in order to
 18 comply with that clarity standard by the Office of
 19 Administrative Law.

20 But we have received some comments regarding those
 21 changes. So if you have any questions about those or
 22 any further questions regarding the overall
 23 defensibility, if you will, of this language, I'm sure
 24 Chief Counsel Darden will be happy to answer your
 25 questions.

1 MR. DARDEN: I don't have much to add. Annemarie
2 was pretty thorough about that.

3 The regulation I view is a mechanism to give the
4 body that is making a determination as to whether or not
5 to move forward on a revocation case; important
6 questions to ask and to consider in order to develop a
7 complete factual background and picture in the case, and
8 then to be able to make the appropriate determination.

9 So when the regulation says, for instance, that the
10 Commission or the board will consider the nature and
11 severity of the act, the circumstances surrounding the
12 conduct, whether the officer is currently employed,
13 whether it was committed under the color of authority,
14 and so forth, those are factors that, in my view, when
15 we have them in regulation, the board or the Commission
16 can ask those questions, and then further develop the
17 factual setting behind the pattern of conduct that is
18 before the board or the Commission and to make the
19 appropriate determination.

20 There was some concern, with some of the public
21 comments that, effectively, what we were doing by, for
22 example, requiring there to be a consideration of
23 mitigating or aggravating factors, or the -- whether the
24 officer is currently employed, and so forth, that could
25 effectively work as a "get out of jail free" card, and

1 that one of these factors applied, then, therefore,
2 there would be no action taken.

3 That's not at all the intent. The intent, again,
4 is to just consider these factors and have the full
5 picture available in making the determination as to what
6 the right result is. So the factors -- that is
7 basically what the factors are.

8 The public comments that were received -- one of
9 them from PORAC and CPCA -- also was concerned about the
10 word "may" and believed that it should instead be
11 "shall," so it would be mandatory to consider these
12 factors.

13 The ACLU's comments were more along the lines of
14 what I said earlier, with the belief that what we were
15 doing was narrowing the Commission's authority to
16 suspend or revoke, based upon the consideration of the
17 factors.

18 Ultimately, though, OAL believed that in order to
19 have regulatory clarity and to not have a regulation
20 that was impermissibly vague and did not, you know, give
21 too much discretion so that it was just unclear as to
22 what the body is required to do, that "may" should be
23 changed to "shall."

24 But in my view, the regulatory text, as it stands,
25 even as amended, says the Commission "shall consider any

1 of the following factors." And, again, those are the
2 factors that are relevant in any given case.

3 So those questions will be asked, and any of them
4 that are relevant, those facts should be considered, and
5 then that entire factual background will be considered
6 by the Commission in making the determination as to
7 whether to go forward.

8 CHAIRPERSON SALAZAR: Okay. Thank you.

9 Any questions or comments from the Advisory
10 Committee?

11 (No response.)

12 CHAIRPERSON SALAZAR: I would just comment, again,
13 with regards to the communication from Cal Chiefs and
14 PORAC again, we're supportive of the change in 1213 to
15 "shall" and agree with that language. So thank you.

16 And with that, no other questions or comments?

17 (No response.)

18 CHAIRPERSON SALAZAR: Thank you for that
19 presentation.

20 MR. GROTTKAU: Thank you all for that.

21 And that is all of the presentations that were
22 requested, Chair.

23 CHAIRPERSON SALAZAR: Okay. The next item of
24 business will be the Advisory Committee Member Reports.
25 And I will go to the Advisory Committee members.

1 I know Mr. Allen did have a report he wanted to
2 share.

3 MEMBER ALLEN: Yes. Thank you, Mr. Chair.

4 I wanted to raise three separate issues.

5 One major issue for CADA, the California Academy
6 Directors' Association, deals with the fact that --
7 reference AB 89, we have some grave concerns, because we
8 have no membership on the current AB 89 task force.

9 We feel that CADA should be an active member of the
10 task force, not just a focus group member, but an active
11 member on the task force, because we are the ones that
12 present -- will be presenting any changes that are made
13 of -- with the -- with the advent of the -- of the
14 program, that required degree program, police -- modern
15 police degree program. We feel strongly that we
16 should -- we should be a member.

17 And I would like to ask for POST's -- the POST --
18 and also the POST Commission to assist us with
19 championing this to the Chancellor's Office to see if we
20 can seek -- if we can get some assistance to sit on the
21 task force.

22 The other problem we have, or concern we have, is
23 the rollout of what the task force comes up with. The
24 rollout. Because right now -- and I will give an
25 example.

1 Rio Hondo has about 80 percent of its academy
2 candidates are underrepresented, from underrepresented
3 communities. They are minority members. And if this
4 program gets rolled out too quickly, then I think it's
5 going to have a bad result, because a lot of the
6 minority candidates and police recruits that come to the
7 academy will actually be excluded from having the
8 opportunity to become -- to become police officers.

9 So there must be a measured approach at -- for the
10 rollout of this modern policing degree, because if it's
11 not rolled out properly, I think it's going to have an
12 adverse effect on a lot of our communities.

13 Last but not least, we're finding, in many of
14 our -- in many of our academies, the preservice
15 candidates that come to the academies has greatly
16 declined. In addition to that, many agencies are having
17 recruitment problems as it is. With the improper
18 rolling out of the modern police degree program, we're
19 going to really jeopardize recruitment for police
20 officers throughout the state.

21 So we would like to request assistance with
22 becoming a member of the task force. That's the number
23 one concern that we wanted to express on behalf of CADA.

24 Additionally, we commend POST and the Commission
25 for rolling out the new requirement to 1070 and 1082

1 requirement for updated training to our 1070 presenters.

2 However, we need some assistance from the
3 Commission to get the legislature to, once and for all,
4 provide funding to the 19 police academy-based
5 college -- colleges. In other words, we have 19
6 academies that are on college campuses that seek no --
7 that acquire no funding from the legislature or anyone
8 to send their instructors to training. And it's a
9 burden on the colleges and the academies that are --
10 that are college-based academies to get their -- their
11 staff to the updated training courses for 1070 courses.

12 You are talking about a four-hour course, and
13 there's travel that's going to be involved, etc. And
14 there's just been no funding available.

15 So here, again, we have an unfunded mandate, which
16 we -- we support, but we would like to seek some
17 assistance with funding for the college-based police
18 academies.

19 And, finally, one other item. There is going to be
20 a requirement for the use of force training for
21 academies, and we would like some assistance from POST
22 to assist us with acquiring more courses in the state so
23 we can make sure that we're getting our 41 academy
24 instructors that teach use of force to the required
25 training.

1 And those are my items that I want to bring up.

2 MR. GROTTKAU: Thank you, Mr. Allen.

3 I think we need to bifurcate the comments and first
4 start out and ask Executive Director Manny Alvarez to
5 talk about AB 89. He has a seat at the table at that.

6 So Manny, if you will address that.

7 MEMBER ALLEN: Thank you.

8 EXECUTIVE DIRECTOR ALVAREZ: Thank you, Member
9 Allen and Chair for allowing me to speak.

10 Yeah. I intend to speak to this at the
11 1:00 o'clock meeting in my prepared comments to the
12 Commission. Because some of the commissioners have also
13 asked about AB 89, and I appreciate the conversation
14 this morning prior to the meeting, as well as
15 conversation with Member Oborn --

16 MEMBER ALLEN: Thank you.

17 EXECUTIVE DIRECTOR ALVAREZ: -- about it.

18 So I will tell you what I intend to -- what I
19 intend to tell the Commission. I will do it twice.

20 But -- so AB 89 was signed into law approximately a
21 year ago. It is currently in the court, the ball court,
22 so to speak, of the Community College Chancellor's
23 Office. They have the first two years of it. We have
24 the second two years of it.

25 So their responsibility is to create a modern

1 policing degree. There are some carveouts in AB 89 for
2 other experiences for individuals coming into the
3 profession. The question that we have received -- at
4 least two of our staff have received -- does this mean
5 that every person that goes into the profession have to
6 have a degree in modern policing in California? And the
7 answer is yes, with the exception of the carveouts.
8 Right? And some of the carveouts are for higher
9 education, other public service, military and such.
10 Yeah. It will be a requirement.

11 So right now they are developing the modern
12 policing degree.

13 We have been asked to provide a co-chair and a task
14 force member so we do have a task force member on the --
15 on the AB 89 task force, as well as the co-chair.

16 We will definitely pass on the comments from this
17 morning, asking for additional participation.
18 Unfortunately we don't control it, as they are doing
19 their work now.

20 There are monthly meetings, as you -- as you
21 articulated, by the task force. They are under a
22 deadline to submit a report to the legislature with --
23 by the end of June. So they have monthly meetings.

24 There is one member from one of the colleges that
25 delivers the RBC on that task force. I mentioned it

1 was -- Ms. Linda Vaughn is on the task force, as well as
2 a member from PORAC, a member from Cal chiefs, and a
3 member from Cal Sheriffs.

4 So we will pass that along to them.

5 The work for us is, now, obviously, to participate
6 in the development. But it's really going to be next
7 year for the Commission. And the intent is really to
8 put this on the radar for them because they are going to
9 have to review the recommendations by this task force
10 and adopt them within two years for implementation.

11 So we will articulate that to them.

12 MEMBER ALLEN: Really appreciate it. Your support.
13 Thank you.

14 EXECUTIVE DIRECTOR ALVAREZ: Okay. Thank you, sir.

15 MR. GROTTKAU: So Mr. Allen, regarding the use of
16 force course, I would like to invite up three of our
17 bureau chiefs because this does impact multiple bureaus
18 within POST -- Rosanne Richeal, Carrie Hollar, and Mike
19 Radford -- to come up and kind of just address some of
20 your concerns regarding -- and CADA's concerns regarding
21 the rollout of the 1070 requirement.

22 So give them a moment to walk up to the microphone.

23 MR. RADFORD: I will be presenting the proposed
24 regulation of 1070 and 1082.

25 Maybe you can reiterate or ask maybe a specific

1 question or request any type of overview that maybe I'll
2 be -- is that what you are asking?

3 MEMBER ALLEN: Well, regarding both those areas of
4 concern, our concern is that for the 19 colleges, we
5 don't get any funding. The other academies get the Plan
6 IV reimbursement. And we just need some help from the
7 Commission and maybe POST to help convince the
8 legislature to dump more money into POST so we can fund
9 our instructors that are required to attend the four
10 hours of training for each 1070 course. And so that --
11 that -- that was my major point that I wanted to make.

12 MR. RADFORD: I think that's a great option and I
13 support that.

14 But as far as what can be done, there is the
15 opportunity -- and I'm sure that we here, at POST, will
16 gladly support your own capabilities if you had the
17 option to create your own refresher courses, any of the
18 courses that can be updated.

19 To talk a little bit about the research that came
20 into preparing this, I did speak to numerous large
21 agencies, other academies, and found that a majority of
22 them do their own refresher, though it is not
23 POST-certified.

24 Those courses, very well, could be POST-certified.
25 Working through your -- through local -- the POST

1 representatives. You know, we would more than -- we
2 would be more than happy to look at the course, make
3 sure it meets the required minimum topics list in 1082.
4 And if it does, we could absolutely certify that course.
5 You could teach that locally, reduce some of your travel
6 concerns, especially with those that are just
7 college-based instructors.

8 MEMBER ALLEN: Appreciate that. We're going to
9 take advantage of that. We will pass the word on too.

10 The fact of the matter is that we had heard that
11 there was only one use of force course that was
12 POST-certified. And a lot of the academies wanted to
13 send persons -- people to that course, but it's very
14 difficult for travel and the fact that there weren't
15 enough courses offered.

16 MR. RADFORD: So, yes, currently there is one
17 train-the-trainer course. One train-the-trainer course
18 for use of force. Correct.

19 Though use of force is not currently a requirement
20 of 1070, it will be soon, if approved by Commission for
21 the changes in the regulation.

22 Everyone who is currently teaching -- and, again,
23 I'm moving forward a little bit in my presentation -- if
24 approved, all current instructors who have taught from
25 January 1st of 2020, at any time and beyond -- have the

1 opportunity to be deemed equivalent without having to
2 take the course. So there will be no requirement for
3 current instructors to go back and take the course.

4 If they are currently teaching and the academy
5 deems those instructors equivalent-based, they have
6 every opportunity, and it will be -- and it's deemed
7 in -- or it's listed in regulation that they have that
8 opportunity to keep them as an instructor with
9 equivalency. The new regulation would just set forth a
10 date in which, moving forward, there will be a
11 requirement to take the train-the-trainer course and
12 then future updates.

13 MEMBER ALLEN: Okay. And by that time, we will
14 have additional courses available, for
15 train-the-trainer.

16 MR. RADFORD: I strongly believe so.

17 MR. GROTTKAU: That's where it's going to be
18 incumbent on the field. And that's why I asked for both
19 Bureau Chief Richeal and Bureau Chief Hollar to come up,
20 because it's -- currently, the course lives in Rosanne's
21 bureau. We're going to be in the process, when it
22 becomes a 1070 course, of moving that over to Training
23 Program Services, where Mike was before. And that's why
24 he is kind of the one that spear-headed this.

25 But it also impacts basic training for Carrie

1 Hollar's operation. And we understood there was some
2 potential concern or conflict that was not specifically
3 identified, but maybe some concern between in-service
4 and Basic Course --

5 MEMBER ALLEN: Right.

6 MR. GROTTKAU: -- that we want to make sure we can
7 figure out so we can make any changes, if necessary, to
8 the curriculum if needed.

9 So I don't know, Rosanne, if you want to talk about
10 the course and historical, or...

11 MS. RICHEAL: Sure. Thank you. Good afternoon,
12 everybody.

13 Rosanne Richeal, Bureau Chief for Learning
14 Technology Resources Bureau.

15 Walt and I have worked in the past, as I was a
16 Basic Course coordinator, so I'm familiar with the
17 academy.

18 MEMBER ALLEN: Good to see you.

19 MS. RICHEAL: Good to see you too.

20 The current course -- let me give you a little bit
21 of background to that. Actually, the Commission had
22 brought this up back, I want to say, in 2020. There was
23 a discussion related to 1070 courses and qualifications
24 of instructors for specialized courses. And there
25 wasn't one for use of force.

1 And so what had happened is, we had received some
 2 de-escalation/use of force money, and we created this
 3 course develop -- or it's based on the 14 tenets and
 4 objectives outlined in SB 230, the companion legislation
 5 with AB 392.

6 In doing so, we contracted with Long Beach, USC
 7 Long Beach. And to develop this course, we got subject
 8 matter experts in all the different areas of the field
 9 and developed this robust course for the
 10 train-the-trainer so that they could go back and teach
 11 their agencies.

12 And I do understand where you are coming from, with
 13 regards to the reimbursement. Agencies get reimbursed.
 14 But the colleges don't get reimbursed to send an
 15 instructor, so that causes a financial burden with -- on
 16 the colleges to teach those courses.

17 What we found when we initially rolled out this
 18 course was, we were starting to get private presenters
 19 and different people that were asking to teach an SB
 20 230 -- combined SB 230/AB 392 use of force course. But
 21 what we found is the content in which they were teaching
 22 would not hold up to the integrity of the legislation
 23 that was represented in SB 230, i.e. the 14 objectives
 24 that were laid out in that.

25 So that's what our course is predicated on, is to

1 teaching that and holding the integrity of that course
2 and the reason behind it.

3 So there has not been any other courses that have
4 been certified under -- to teach that.

5 Currently, we have that contract. We teach it 24
6 -- or US Long Beach -- UC Long Beach teaches it 24 times
7 a year, annually, so that's two times a month. Each
8 course has been filled.

9 And I brought the statistics. We started teaching
10 that -- and this was during the pandemic, mind you -- in
11 October of 2020. And to date, we have had over 905
12 instructors go through that course. And we have -- they
13 have gone back and taught over 3,894 participants in the
14 agencies. And just this year alone, 669 people have
15 been taught in that.

16 So just in two years, we have taught a lot of
17 people. We're starting to get the information out there
18 based on that.

19 So will there be other courses to meet the 1070 and
20 under the 1070(b), the equivalency? Sure. There are.

21 But, again, our job at POST is to make sure that,
22 again, we preserve the integrity of the courses that are
23 being taught and not just putting out courses just
24 because somebody titles it use of force/de-escalation.

25 MEMBER ALLEN: Right. And I thank you for that.

1 We actually -- in our academy at Rio Hondo, we
2 actually got -- one of the instructors went through the
3 course.

4 But speaking on behalf of CADA, we -- I'm just
5 passing along the complaint was, you need -- can you get
6 another course somewhere else in the state. That type
7 of thing.

8 MS. RICHEAL: So I will speak to that.

9 I talked directly with Director Ron Mark from Long
10 Beach, and we teach that course. We will travel that
11 course.

12 MEMBER ALLEN: Okay.

13 MS. RICHEAL: Ron has delivered it. And I have
14 gone to those courses throughout the state, all the way
15 far north, all the way down south, and in the -- in the
16 middle. So it does not just get taught at one location.
17 It is traveled throughout the state of California.

18 So if CADA wants to, I will be more than happy to
19 marry you up with Ron Mark so that you guys can come
20 together to present a course.

21 The course averages about 25 people in it, because,
22 again, we don't want to have a hundred people or
23 something like that. We want to teach specific
24 facilitative decision making skills. It's not a
25 tactical course. It's a brain course. It's a thinking

1 course. And so we keep it to 25 people.

2 But we -- we do teach it throughout the state of
3 California. It's not at one location.

4 MEMBER ALLEN: I really appreciate your feedback.

5 MS. RICHEAL: Not a problem.

6 MEMBER ALLEN: I will pass it along.

7 MS. RICHEAL: Okay.

8 MEMBER ALLEN: Thank you.

9 MR. GROTTKAU: Is there anything for Basic
10 Training? You may not have anything additional. So --
11 all right. Well, thank you guys very much for
12 addressing that.

13 Hopefully, Walt, that kind of addresses some of the
14 concerns and, again, keeping the dialogue open. This is
15 what we're hoping to get out of a meeting like this, is
16 to be able to do this and provide some answers right on
17 the spot.

18 MEMBER ALLEN: You know, we love you guys. I just
19 wanted to mention -- we just want to make sure all our
20 instructors get trained.

21 Thank you.

22 CHAIRPERSON SALAZAR: All right. Thank you.

23 Okay. So we're going to move on to commissioner
24 comments.

25 I did see that we have Commissioners Braun,

1 Commissioner Nieto, and Commissioner Ewell present with
2 us.

3 Oh, I'm sorry. I did skip. Were there any other
4 Advisory Committee member reports?

5 MEMBER OBORN: I do.

6 CHAIRPERSON SALAZAR: Kathy.

7 MEMBER OBORN: Hello, everyone.

8 I represent the California Association of
9 Administration of Justice Educators. If that's a lot of
10 words, it just means we teach criminal justice in the
11 community colleges in California, which there are 114 of
12 them.

13 I have to mirror what Walt said about sitting or
14 being a part of AB 89. And I have expressed to Manny
15 about being a part of the group if at all possible. And
16 we want to have boots on the ground folks that are there
17 looking at SB -- or, excuse me, looking at AB 89.

18 But I also do have to just say that we do have
19 legislation in place that looks very much like a modern
20 policing degree, and that's Senate Bill 1440 that's been
21 in place for over ten years.

22 And right now, we are, as the community colleges
23 are, we're in the process of reviewing the curriculum.
24 We do a five-year -- SB 1440 requires a five-year review
25 of the curriculum, and so we're reviewing that

1 curriculum right now, right in the process of that.

2 Hopefully we'll be finished by next semester.

3 The other thing that doesn't really impact POST so
4 much, but I just thought it would be interesting for all
5 to know that, with the pandemic, you probably know that
6 a lot of the community colleges and universities took a
7 hit in enrollment. We had to move from classroom to
8 online. Online was difficult for many people to
9 transition.

10 And we lost 24,000 students between 2018 and 2022
11 in our -- all of our community colleges across the
12 state.

13 How that translates to our criminal justice
14 courses, we lost -- let's see. What do my facts say
15 here? We lost about 311 courses that we usually teach
16 over the course of our semesters. And that means that a
17 lot of our programs were really impacted.

18 Now, remember, even though we have 114 community
19 colleges, we have 19 college-based academies, 41
20 academies all together. The rest of us teach criminal
21 justice. And whether it -- whether our students
22 transfer on to a university or whether they choose to go
23 into an academy, we're still -- our numbers surely were
24 impacted by COVID and what we could deliver and losing
25 courses. So that just sort of adds to the issues that

1 we're having with recruitment throughout the state. And
2 I just wanted everybody to know that.

3 That's all. Thank you.

4 CHAIRPERSON SALAZAR: Thank you, Kathy.

5 Any other Advisory Committee reports?

6 Jaime.

7 MEMBER YOUNG: Hi. Good morning.

8 It's been a couple of meetings since I've been here
9 and it's been good to be -- good to be back. And I
10 apologize for my absence since you have had in-person
11 meetings.

12 Since that absence, I would like, though, to
13 request that POST staff provide a report on the dispatch
14 program. With time and distance, I haven't had an
15 update on what's been going on with the program as a
16 whole. So it would be great to hear a report if that's
17 possible.

18 MR. GROTTKAU: Absolutely. Thank you.

19 So we would like to invite, at this time, Bureau
20 Chief Rob Patton and Staff Services Manager Jennifer
21 Dwyer to come up and give a brief overview of where we
22 are at with the programs.

23 Thank you, Jaime.

24 MR. PATTON: Good morning, Committee Members. My
25 name is Rob Patton. I'm a bureau chief with the

1 Management Counseling and Projects Bureau. And sitting
2 next to me, we have Staff Services Specialist Jennifer
3 Dwyer, and she oversees our Dispatch Training Program.

4 At this time I would like to introduce her to give
5 us a little update on where we are at -- where we are
6 with that program.

7 MS. DWYER: Good morning. It's nice to see all of
8 you. I will try to sit closer.

9 Just a little background about myself. Prior to
10 coming to POST, I was a dispatcher for over 15 years. I
11 actually started my career out of state and lateraled to
12 California with five years of service on. Went through
13 the POST process here in California. Worked for a
14 couple of different agencies.

15 My passion has always been in training. I am -- at
16 the time, was a POST advanced instructor. I'm finishing
17 up the Master Instructor Program right now. So my
18 passion has always been training and wanting to improve
19 training for dispatchers.

20 So when I had the opportunity to join POST, I
21 jumped on it. I was so excited. I came in. I had all
22 these -- "I'm going to do this. I'm going to do that."
23 And my passion and dream was just to make the profession
24 better than I left it. So I came on in May 2021.

25 During the pandemic -- not the best to switch

1 careers. It was interesting to try to learn the culture
2 and the process here at POST to only come in the office
3 one day a week. So I had a lot of time to read all
4 those regulations we keep talking about and
5 understanding how they apply to dispatchers.

6 And I learned a lot, because, as a dispatcher
7 myself, I had a lot of misconceptions about POST and
8 what was regulated. So having the time to do the
9 background and the research was tremendous.

10 In order to start this project of updating the
11 Basic Course, the Basic Course has not been updated
12 since 2010 for your public safety dispatchers. It is
13 the course I took when I lateraled from out of state.
14 So I already knew that stuff has changed tremendously,
15 just from my experience in the field.

16 To get started, though, I wanted to visit five
17 different presenters to see how they were putting the
18 course on, what they had already been changed, how their
19 instructors interacted with the students, how the
20 students were processing or receiving the information.

21 So I saw five different presenters, hit the same
22 Learning Domain so that I kind of had a way to compare
23 and contrast who was doing what, different platforms. I
24 went through a couple of different community colleges
25 partners.

1 Golden West does an online presentation that was
2 very dynamic. Saw a sheriff's department, a city PD,
3 multiple presenters, to, again, give me a base idea.
4 Because, again, I'm only looking at it from my
5 perspective. I wanted to see who else is presenting
6 this course.

7 After that started, we started getting together our
8 group of subject matter experts and I wanted to make
9 sure that we had current, vital information so everyone
10 that participated is an active practitioner in their
11 field of expertise.

12 There were members -- some of the first dispatchers
13 to graduate from SLI participated. Dispatchers'
14 supervisors who had only been involved in that program
15 for the last four years. So as emerging leaders, I
16 wanted them involved.

17 I was able to include some of the academy -- or,
18 excuse me, Basic Course presenters I saw that had taken
19 the initiative, taught the outdated expanded course
20 outline, and still added the new and current
21 information. So they were taking it upon themselves to
22 teach what we are asking them and still updating it for
23 the students. So I included those speakers in.

24 Those that have been supervisors, communications
25 training officers, leads, a couple managers, members of

1 the public, in different workshops. I went to RIPA,
2 their Calls for Service subcommittee, and I got
3 recommendations from them on what entities should be
4 included in different workshops.

5 I really wanted to have a wide sampling for the
6 entire state. So each workshop, there was eight total
7 to update the Basic Course. Each workshop was comprised
8 of subject matter experts who were experts in the topic.
9 I didn't want just one team of 12 people redoing the
10 whole course.

11 So each person brought in their expertise for the
12 topics that we were updating and/or adding to the Basic
13 Course.

14 And, you know, making sure we had a sampling of
15 city, sheriff, state agencies, north, central, southern,
16 Bay Area; it was really important to make sure that we
17 truly had a sampling for the entire state.

18 And even though I had only been out a year and a
19 half now, I learned so much from them, just how quick
20 that field changes. It's so important for us to get
21 this updated, push it out to the field, and make sure it
22 stays updated, so that we have a revision plan so that
23 we're not, you know, behind the "cuff" again. I want us
24 to stay current and advanced.

25 And a lot of the subject matter expert -- excuse

1 me, subject matter experts in our workshops, if there
2 was a correlating Learning Domain that's presented in
3 the RBC, we looked at that expanded course outline too.

4 We wanted to know what our peace officer partners
5 are learning on the same topic, so, that way, when we
6 all finish, we're speaking the same language. I don't
7 want that disconnect between dispatchers and peace
8 officers. We need to know what they're learning; does
9 it translate to what we are learning; and are we all
10 going to be on the same page when it's done.

11 So the workshop was just held in October. I'm in
12 the process of writing that Initial Statement of
13 Reasoning, which will go to Commission; my timeline is
14 the March Commission meeting that you guys will see the
15 new course. And then, from there, Office of
16 Administrative Law.

17 MR. PATTON: And also, I would just like to add
18 that we utilized the information from the Little Hoover
19 Commission to use practitioners in this collaborative
20 effort to update the program.

21 At this time, I would like to open it up to any
22 questions.

23 EXECUTIVE DIRECTOR ALVAREZ: May I, Mr. Chair? I
24 don't mean to interrupt any questions.

25 Just three things that maybe prompt certain

1 responses. The status of the Dispatch Advisory Council.
2 Two -- I'm sorry. Status of the Dispatch Advisory
3 Council.

4 Number two: Can you comment about the job task
5 analysis? I know that that was run by a different
6 bureau within POST and our colleague, Irene, and you
7 collaborated, assisting her on that.

8 And then the third, leadership courses. I know
9 that came up at one of the previous Commission meetings
10 in terms of creating a standalone leadership course for
11 dispatchers or whether it should be incorporated into
12 the existing -- dispatchers should be incorporated into
13 the basic management supervisor course. Why would --
14 why would we do a separate course? I know that was a
15 topic of discussion.

16 Could you hit on those three things: Advisory
17 Council, the job task analysis, and then leadership
18 courses, please. Thank you.

19 MS. DWYER: So the Public Safety Dispatch Advisory
20 Council has not met in a year. It has been a funding
21 issue, a staffing issue, and wanting to get the other
22 projects rolling.

23 However, I did reach out to them with surveys to
24 ask for their participation. They were asked to let me
25 know how long they had been on the Advisory Committee;

1 if they were still interested in participating; what
2 their areas of subject matter expertise were.

3 Of the 24 participants at the time, I only received
4 15 responses after multiple attempts. And of those 15,
5 seven were invited to participate in workshops.

6 Of the seven, four were only able to make it due to
7 scheduling conflicts and that kind of stuff.

8 So there's still an attempt to keep the members
9 involved. I have had several people emailing me, asking
10 me, "Why am I getting this survey? I don't know what
11 this council is. How did I get on it?" Which was
12 disheartening, which made me realize we need to kind of
13 revamp that project, make sure that people involved know
14 what is going on, the importance of it, and that kind of
15 stuff.

16 So the ones who are receptive to feedback and
17 responding, were brought into workshops or asked for
18 recommendations on subject matter experts.

19 We have not, though, had a in-course -- in-person
20 or virtual meeting.

21 For the -- I'm sorry, Manny. The second one.

22 EXECUTIVE DIRECTOR ALVAREZ: Job task analysis is
23 number 2.

24 MS. DWYER: Job task analysis. Yes.

25 So I had asked for a job task analysis of the

1 public safety dispatchers. There was one done in 1994
2 with an update done in 2000. And the update in 2000 was
3 more of the training needs. Whereas 1994 was, what do
4 we need overall to get us a good dispatcher?

5 I reached out to our Strategic Communications
6 Research Bureau here, SCR, and they completed that job
7 task analysis actually quicker than our timeline asked.

8 During that process, they went on sit-alongs. They
9 constructed questions and surveys. There was an
10 800-question survey that went out to dispatchers in the
11 state of California. The average time to complete the
12 survey was three hours, but we had a 75 percent return
13 on that.

14 So that just tells us that the field is excited.
15 They want these changes and they want them -- to see
16 them come to fruition.

17 The data was looked at. More experts came in. And
18 they matched the survey results with the tasks,
19 knowledge, skills, and traits that are listed in the job
20 task analysis. So what we did is we took the survey
21 questions and matched them with, yes, the survey
22 question says this and it matches to this task.

23 They have published that report. It is a public
24 document; it is available on our website. It just talks
25 about the different knowledge, skills, traits, and

1 attributes you need to be a dispatcher.

2 When the Basic Course curriculum is finished and
3 has gone through the approval process, the group will
4 reconvene and they will match the tasks identified in
5 the new job task analysis with those in the updated
6 curriculum. So we will have that third level validation
7 for the new curriculum and the current job task
8 analysis.

9 As far as leadership and supervisory courses,
10 dispatchers are -- they do have a dispatch supervisory
11 course. It's run three times a year. But they are also
12 invited to participate in just the supervisory course,
13 which would be a mix of sworn and nonsworn.

14 As I mentioned, I'm going through the Master
15 Instructor Program. I just had my validation, and I
16 have to pilot a course in order to graduate. As my
17 project, I created a 40-hour management course for
18 public safety dispatchers.

19 And the needs are different. Yes. You can go to
20 the modular management course for sworn, but in the
21 management course we have created, you are going to
22 learn about the 911 technology, how to acquire it; the
23 personnel issues that are, you know, impacting our
24 recruitment, again, for everybody. But in dispatch, how
25 do you recruit if you don't understand the mandates

1 because you don't understand where to go find them.

2 Like POST, we regulate the hiring, training, and
3 selection. But in a comms center, you have to worry
4 about all the DOJ standards, all the OES standards that
5 impact it. And that is so specific to the
6 communications center. So by giving them a management
7 course, they are going to get their needs met. It gives
8 them a career track.

9 Right now, we stop at supervisor, and dispatchers
10 do so much more than that. So by adding this management
11 course on, we are giving them another pathway to
12 continue and something else to work towards.

13 And then we can discuss, later on, turning the
14 management course into a management certificate, so we
15 can include and really push the dispatchers for
16 professional development.

17 EXECUTIVE DIRECTOR ALVAREZ: Thank you, Jennifer.
18 Appreciate that.

19 MEMBER BEAUCHAMP: For the management course, is
20 that specific for civilian dispatch managers? Or is
21 this a course -- I know about five years ago, POST was
22 working on a course that was specific for the commanders
23 of communications centers and that tends to vary if that
24 is sworn or if that's a civilian person that's in charge
25 of a communications center. Is this a course that's for

1 the sworn and civilian staff? And then is it for the
 2 person who is in charge of the communications center or
 3 anyone who has a managerial role in that? And then is
 4 that something that POST will look at providing a course
 5 specific for those that are in charge of a
 6 communications center?

7 And, specifically, I know there tends to be --
 8 there can be, let me say, struggles as a sworn
 9 individual will become in charge of a communications
 10 center, but not have any communications center
 11 experience, and then a lot of the training that needs to
 12 go there. If -- and maybe that's not part of this
 13 course. Maybe it is. But I am curious about that.

14 MS. DWYER: Yes. So during the process of creating
 15 the course, several of my subject matter experts that I
 16 interviewed were sworn, because they knew that was a
 17 struggle.

18 And having being a dispatcher myself, having a
 19 captain who would come in and being like, "Hey, why is
 20 that thing flashing?" And I was like this -- "That's my
 21 phone," and he's like "Oh, okay."

22 So the main target audience is dispatch supervisors
 23 looking to promote somebody who is a manager or maybe at
 24 their organization and they are called a supervisor but
 25 they run the comms center. But sworn would be welcome

1 to attend. And that is because they will go over the
2 technology, how to acquire it, that whole OES process
3 for procurement, the -- understanding budgets.

4 And that was something that I ran into a lot with
5 the nonsworn people, was, all of a sudden, I'm in this
6 management position and I have to know how to budget.

7 And then understanding what needs to be included.
8 Essential versus nonessential. To a dispatcher, a chair
9 that actually is comfortable for 12 to 16 hours is
10 essential. But if you are sworn, you are like, it's a
11 chair, right?

12 So if they come, I think that will actually help
13 and it will, again, build that kind of relationship.
14 It's going to cover all that stuff we need to know.

15 And if -- and one of the modules that I was asked
16 to create was something about just basic presentation
17 skills, because you can be a supervisor, but now if you
18 are a manager or some type of lead over your
19 communications, you may be asked to speak to executives
20 and have, really, no training on presentation skills.

21 So those are just little, little things that have
22 come up during the process.

23 And, yes -- and I am working closely with our
24 partners at EOS. They are interested in the course and
25 they will -- are talking about helping non-POST agencies

1 attend it for their communications manager staff.

2 MR. PATTON: Also, I would just like to add that
3 over the last 11 months, I have had the opportunity to
4 sit in on a couple of these workshops that we have held,
5 eight to be exact. And it's unfortunate how -- I think
6 we -- a lot of us in the room, in law enforcement, can
7 attest to the fact that dispatchers are often
8 overlooked, and personally I experienced that. I worked
9 in an agency where you promote and you go to the jails
10 or the courts or dispatch. Well, I was assigned to
11 dispatch, and I didn't have any concept or idea of what
12 they did.

13 What I learned in my time there was that they run
14 the organization pretty much on a daily basis. So it
15 shifted my perspective completely.

16 And it's devastating to realize that this program,
17 this dispatch program within POST, has been stale for so
18 long. And Jennifer was brought in for that specific
19 reason.

20 And I can tell you right now that since her
21 involvement here at POST, she has taken this program to
22 the next level. And not only are we proud of it, but
23 we're happy to know that it will be sustained over time.

24 So I just wanted to publicly recognize her for her
25 efforts up to this point, and I'm excited to see what

1 the future holds.

2 That's all I got.

3 MR. GROTTKAU: Thank you, Rob.

4 Jaime, does that kind of help give you an update on
5 where we are at with this? Do you have any other
6 questions on it?

7 MEMBER YOUNG: It does. And I appreciate the
8 spontaneous report because I wasn't anticipating that
9 today.

10 I do have a couple comments.

11 One is, is that I do appreciate the work and the
12 basic academy. It's been a long time coming. I know
13 over my participation over a couple decades, that we've
14 been trying to update that course, and I think
15 modernizing it is definitely going to be an attribute to
16 the -- to the new hires in the state.

17 Also, with the communications manager course, great
18 job on going through master instructor, and I appreciate
19 that task, because that's also a long overdue course.

20 Just a couple things that I would like to see,
21 perhaps, on future agendas. Knowing that some of the
22 old business that we had in the dispatch program, and as
23 you mentioned it, something goes stale just because they
24 don't get any traction because of funding or budgets or
25 just roadblocks, whatever they are.

1 When we talk about leadership programs or
2 validation, one of the things that we've been working on
3 for, I think, the last 10 to 15 years is certifying the
4 supervisors, the communications supervisors course, and
5 having them certificated. We have not had that
6 movement. And I would like to see that prior to a
7 manager's course, if that were to be certified, only
8 because I think our front line supervisors have been
9 wanting and needing that course to be a -- a validated,
10 certified course that is just kind of lateral with the
11 sworn side of a sergeant's course.

12 And in addressing the leadership issues, one of the
13 things that we're seeing, I think, nationwide, is the
14 fact that there are civilian managers that are so
15 overwhelmed because there's so much going on with the
16 rollout of next generation 911. And just a whole lot of
17 other issues that impact the dispatch center. That
18 middle management is also being left out of, you know,
19 where do they fit in.

20 So there's a lot of deputy directors, assistant
21 directors, whatever titles you want to give them. But
22 they are all middle -- above a supervisor, below a
23 manager, director, sworn, nonsworn environments, that
24 are just feeling kind of in purgatory about what --
25 where do they go.

1 And that could be an issue between who manages
2 them, what the governance issue is, with whether or not
3 it's a lieutenant or a captain that is supervising them,
4 or they are complete -- independent in terms of where
5 they work.

6 So I would -- I would actually promote some
7 movement on those two issues as POST looks at trying to
8 certify courses for -- or create certification courses
9 for levels in dispatch, to make sure that the continuum
10 starts from just basic and move its way up to the
11 management.

12 So I appreciate it. Thank you.

13 MS. DWYER: There is certainly a supervisor
14 professional certificate. But you are right, we only
15 offer the dispatch-specific one three times a year. So
16 maybe we can look at that when we get to contracts and
17 see how to increase that.

18 CHAIRPERSON SALAZAR:

19 MEMBER YOUNG: Thanks.

20 MS. DWYER: Thank you.

21 CHAIRPERSON SALAZAR: Okay. Any additional
22 questions or comments on this item?

23 MEMBER ALLEN: Yes. First of all, thank you for
24 your efforts. Well done.

25 Dispatchers are the lifeline and anybody that has

1 worked patrol would tell you that.

2 What's the current situation with vacancies? Do
3 you have a perspective?

4 In Southern California, we're hearing there's a
5 shortage of dispatchers, qualified dispatchers. And I
6 was just curious, from your perspective, because you
7 have gotten around the state, how bad is it?

8 MS. DWYER: It's just as bad as the peace officer
9 side.

10 MEMBER ALLEN: Okay.

11 MS. DWYER: Yeah.

12 MEMBER YOUNG: I can actually comment on that.
13 Nationwide statistic right now for vacancies is about --
14 average is about 26 percent, but that was prepandemic.

15 MEMBER ALLEN: Wow.

16 MEMBER YOUNG: What we're seeing now, nationwide,
17 for dispatch is somewhere between 50 to 56 percent
18 vacancy rate right now, with a lot of issues with
19 mandatory overtime and exiting dispatchers because they
20 just can't handle it anymore.

21 So that number has not shifted from 50 to
22 56 percent since -- in the past three years.

23 MEMBER ALLEN: Appreciate that awful insight.

24 CHAIRPERSON SALAZAR: Okay. Any other questions or
25 comments from the Advisory Committee on this item?

1 (No response.)

2 CHAIRPERSON SALAZAR: If not, thank you for that
3 excellent report. Thank you.

4 Okay. Any other Advisory Committee reports?

5 (No response.)

6 CHAIRPERSON SALAZAR: Thank you for the save. That
7 was some good information.

8 Okay. We will move on to the commissioner comments
9 now. I did see Commissioners Ewell, Braun, and Nieto
10 here. I don't know if anybody has any comments they
11 would like to make to the committee. And Commissioner
12 O'Rourke is here, I believe, as well.

13 (No response.)

14 CHAIRPERSON SALAZAR: Okay. Seeing none, I will
15 move on to old business. We have no old business.

16 And we will move on to new business. I will turn
17 it over to Assistant Executive Director Jim Grottkau for
18 new business.

19 MR. GROTTKAU: Thank you.

20 We do have the new business.

21 The Advisory -- Deputy Eric Schmidt has been
22 renominated for his position here, representing PORAC.
23 So that will be presented to the Commission. The term
24 expires in March of this next year. And so we asked
25 them to propose a -- either renominating or a new person

1 prior to that date so it can be decided for the next
2 meeting.

3 CHAIRPERSON SALAZAR: Does that require any action
4 from the Advisory Committee?

5 MR. GROTTKAU: I don't believe so, no.

6 CHAIRPERSON SALAZAR: Okay. Thank you.

7 Okay. With that, future meetings:

8 Upcoming committee meetings will be held March 22,
9 2023, in Anaheim.

10 And then followed, June 7th, 2023, here at POST
11 headquarters in West Sacramento.

12 And I do want to make the announcement that the
13 Finance Committee that was scheduled at 11 has been
14 canceled. So the POST Commission will meet at
15 1:00 o'clock.

16 And with that, this meeting is adjourned.

17 (Proceedings concluded at 10:51 a.m.)

18 ---o0o---

CERTIFICATE OF REPORTER

I, KATHRYN S. SWANK, a Certified Shorthand Reporter
of the State of California, do hereby certify:

That I am a disinterested person herein; that the
foregoing proceedings were reported, to the best of my
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Certified Shorthand Reporter of the State of California,
and thereafter transcribed into typewriting.

I further certify that I am not of counsel or
attorney for any of the parties to said proceedings nor
in any way interested in the outcome of said
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IN WITNESS WHEREOF, I have hereunto set my hand
this 21st of December 2022.

/s/ Kathryn S. Swank
KATHRYN S. SWANK, CSR
Certified Shorthand Reporter
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